

## REMARKS

Claims 1-11 are pending in the application and were examined and reported in the Office Action. Claims 1-4 are rejected. Claims 3 and 5-11 are canceled. Claims 1, 2 and 4 are amended. New claim 12 is added. The amendments to claim 1 are described in the specification and illustrated in Figure 6. No new matter has been added. Claims 1, 2, 4 and 12 remain.

Applicant requests reconsideration of the application in view of the following remarks.

### **I.     35 U.S.C. §103(a)**

A.     It is asserted in the Office Action that claims 1 and 4 are rejected under 37 U.S.C. §103(a) as being unpatentable over US Patent No. 6,242, 787 issued to Nakayama et al. ("Nakayama") in view of Applicant's admitted prior art ("AAPA"). Applicant respectfully disagrees.

Applicant's amended claim 1 contains the limitations of "[a]n HF power device in an HF transistor, comprising: ... a sinker as the first conductive type provided as a column shape of a plurality of trenches for dividing into two source areas and directly connecting the source area and the first semiconductor layer by piercing through the source area and the second semiconductor layer ..."

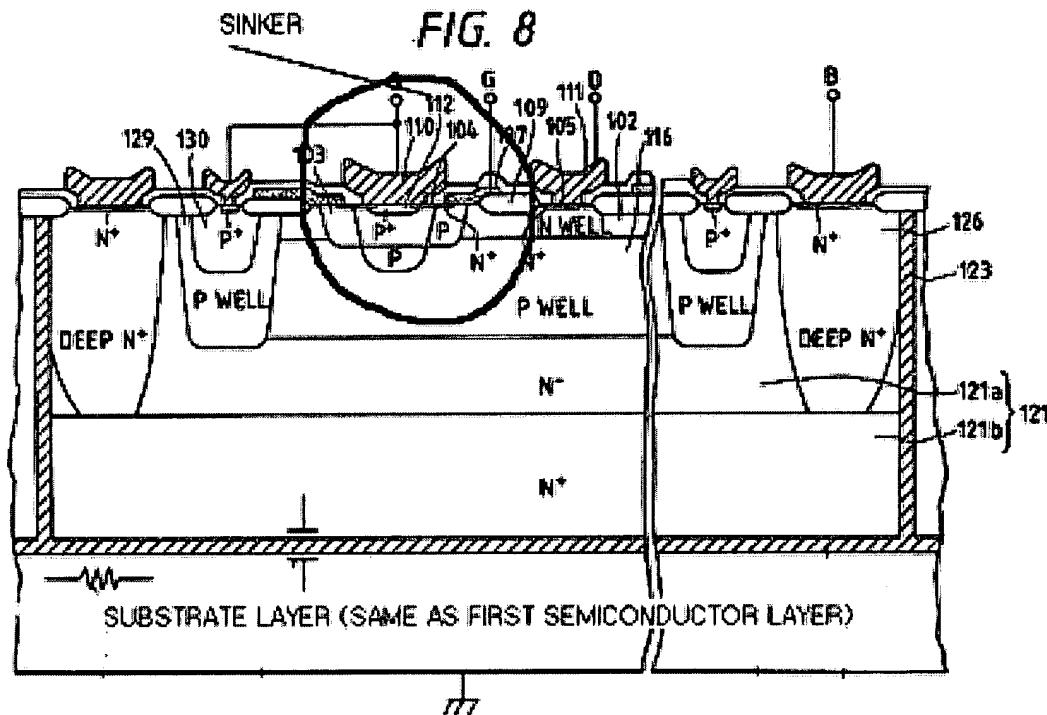
In other words, a sinker is formed on a source area by piercing through the source area and the second semiconductor layer. That is, the source area is directly connected to the first semiconductor layer by the sinker having a column shape of a plurality of trenches as shown in following drawing.

FIG. 8



Distinguishable from Applicant's claimed invention, in Nakayama, a sinker is formed

by P+ and P regions of a source area, and the source area is electrically connected through the PN diode to the substrate layer. In other words, the trench structure is not directly connected to the substrate layer as shown below in Figure 8 of Nakayama.



Further, Nakayama does not teach, disclose or suggest “a sinker as the first conductive type provided as a column shape of a plurality of trenches for dividing into two source areas and directly connecting the source area and the first semiconductor layer by piercing through the source area and the second semiconductor layer.”

It is asserted in the Office Action that AAPA discloses an LDD area as a second conductive type formed on the surface of the semiconductor layer between the drain area and the gate electrode. AAPA, however, does not teach, disclose or suggest “a sinker as the first conductive type provided as a column shape of a plurality of trenches for dividing into two source areas and directly connecting the source area and the first semiconductor layer by piercing through the source area and the second semiconductor layer.”

Since neither Nakayama, AAPA, or the combination of the two teach, disclose or suggest the limitations contained in Applicant's amended claim 1, as listed above, there would not be any motivation to arrive at Applicant's claimed invention. Thus, Applicant's amended claim 1 is not obvious over Nakayama in view of AAPA since a *prima facie* case of obviousness has not been met under MPEP §2142. Additionally, the claim that directly depends from amended claim 1, namely claim 4, would also not be obvious over Nakayama in view of AAPA for the same reason.

Accordingly, withdrawal of the 35 U.S.C. §103(a) rejection for claims 1 and 4 are respectfully requested.

**B.** It is asserted in the Office Action that claims 2 and 3 are rejected under 35 U.S.C. §103(a) as being unpatentable over Nakayama and AAPA as applied to claim 1, and further in view of U.S. Patent No. 6,326,656 issued to Tihanyi ("Tihanyi"). Applicant respectfully disagrees.

Applicant's claims 2 and 3 depend on amended claim 1. Applicant discussed Nakayama in view of AAPA regarding claim 1 above in section I(A).

Tihanyi discloses a lateral high-voltage transistor that has a semiconductor body made of a lightly doped semiconductor substrate of a first conductivity type and the epitaxial layer is made of a second conductivity type. Tihanyi also discloses the transistor includes trenches between the source electrode and the drain electrode. The walls of these trenches are highly doped with dopants of the first conductivity type.

Tihanyi, however, does not teach, disclose or suggest "a sinker as the first conductive type provided as a column shape of a plurality of trenches for dividing into two source areas and directly connecting the source area and the first semiconductor layer by piercing through the source area and the second semiconductor layer."

Since neither Nakayama, AAPA, Tihanyi, or the combination of the three teach, disclose or suggest the limitations contained in Applicant's amended claim 1, as listed above, there would not be any motivation to arrive at Applicant's claimed invention. Thus, Applicant's amended claim 1 is not obvious over Nakayama and AAPA in view of Tihanyi since a *prima facie* case of obviousness has not been met under MPEP §2142.

Additionally, the claims that directly or indirectly depend from amended claim 1, namely claims 2-3, would also not be obvious over Nakayama and AAPA in further view of Tihanyi for the same reason.

Accordingly, withdrawal of the 35 U.S.C. §103(a) rejection for claims 2 and 3 are respectfully requested.

### CONCLUSION

In view of the foregoing, it is believed that all claims now pending, namely 1, 2, 4 and 12, patentably define the subject invention over the prior art of record and are in condition for allowance and such action is earnestly solicited at the earliest possible date.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly extension of time fees.

### PETITION FOR EXTENSION OF TIME

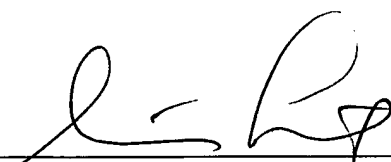
Per 37 C.F.R. 1.136(a) and in connection with the Office Action mailed on April 22, 2004, Applicant respectfully petitions the Commissioner for a two (2) month extension of time, extending the period for response to Wednesday, September 22, 2004. The Commissioner is hereby authorized to charge payment to Deposit Account No. 02-2666 in the amount of \$210.00 to cover the petition filing fee for a 37 C.F.R. 1.17(a)(2) small entity. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

Dated: September 16, 2004

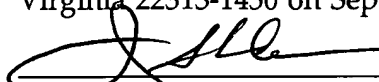
By

  
Steven Laut, Reg. No. 47,736

12400 Wilshire Boulevard  
Seventh Floor  
Los Angeles, California 90025  
(310) 207-3800

### **CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail with sufficient postage in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22313-1450 on September 16, 2004.

  
Jean Svoboda